United Nations S/PV.7138

Security Council

Sixty-ninth year

Provisional

7138th meeting
Saturday, 15 March 2014, 11 a.m.
New York

President:	Ms. Lucas	(Luxembourg)
Members:	Argentina	Mrs. Perceval
	Australia	Mr. Quinlan
	Chad	Mr. Cherif
	Chile	Mr. Errázuriz
	China	Mr. Liu Jieyi
	France	Mr. Araud
	Jordan	Prince Zeid Ra'ad Zeid Al-Hussein
	Lithuania	Ms. Murmokaitė
	Nigeria	Mrs. Ogwu
	Republic of Korea	Mr. Oh Joon
	Russian Federation	Mr. Churkin
	Rwanda	Mr. Gasana
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Power

Agenda

Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council (S/2014/136)

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The meeting was called to order at 11.10 a.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council (S/2014/136)

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Albania, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Malta, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Turkey and Ukraine to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2014/189, which contains the text of a draft resolution submitted by Albania, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, New Zealand, Norway, Poland, Portugal, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine, the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I shall now give the floor to the member of the Council who wishes to make a statement before the voting.

Mr. Churkin (Russian Federation) (*spoke in Russian*): Many times, we have put forth in this Chamber the essence of the Russian position regarding the cause and development of the internal crisis in Ukraine. That general context is important to understanding our view of the draft resolution submitted by the United States (S/2014/189) for the Council's vote today.

It is a secret to no one that the Russian Federation will vote against the draft resolution. We cannot go along with its basic assumption, which is to declare illegal the planned referendum of 16 March whereby the people of the Crimean republic will themselves determine their future.

The philosophy of the sponsors of the draft resolution runs counter to one of basic principles of international law, the principle of equal rights and self-determination of peoples, enshrined in Article 1 of the Charter of the United Nations. That principle is confirmed in the 1970 Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, and in a number of other decisions of the General Assembly, as well as the Helsinki Final Act of 1975.

We do not dispute the principle of the territorial integrity of States. It is indeed very important. It is also understandable that the enjoyment of the right to self-determination involving separation from an existing State is an extraordinary measure, applied when further coexistence within a single State becomes impossible. Moreover, as practice has demonstrated, in the majority of cases, the realization of peoples' right to self-determination is achieved without the agreement of the central authorities of the State.

With respect to Crimea, that case resulted from a legal vacuum generated by an unconstitutional armed coup d'état carried out in Kyiv by radical nationalists in February, as well as by their direct threats to impose their order throughout Ukraine.

It should also be noted that generally agreed principles of international law are closely interlinked and that each should be considered in the light of the others, the relevant political context and historic specificities. The political, legal and historic backdrop of the events of today in Ukraine is extremely complicated. In that context, it is useful to recall that up until 1954, Crimea formed part of the Russian Federation. It was given to Ukraine in violation of the norms of that time under Soviet law and without taking into account the views of the people of Crimea, who nevertheless remained within a single State — the Union of Soviet Socialist Republics.

When the Soviet Union fell, Crimea automatically became part of Ukraine. The view of the people of Crimea was once again ignored. After the fall of the Soviet Union, for more than 20 years Crimea attempted to exercise its right to self-determination.

In January 1991, a referendum was conducted in Crimea, resulting in the adoption of a law in Ukraine regarding the establishment of autonomous Crimea. In September 1991, the High Council of Crimea adopted a declaration on State sovereignty. In 1992, the constitution of Crimea was adopted, declaring Crimea an independent state within Ukraine. However, in 1995, through a decision of the Ukrainian authorities and the President of Ukraine, the constitution was annulled, without the agreement of the Crimean people.

We set out a number of other arguments in favour of the legality of the Crimean referendum at the Council meeting on 13 March (see S/PV.7134).

In conclusion, we wish to confirm that we will respect the will of the Crimean people during the referendum of 16 March.

The President (*spoke in French*): I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:
Argentina, Australia, Chad, Chile, France, Jordan, Lithuania, Luxembourg, Nigeria, Republic of Korea, Rwanda, United Kingdom of Great Britain and Northern Ireland and United States of America

Against:
Russian Federation

Abstention:
China

The President (*spoke in French*): There were 13 votes in favour, 1 vote against and 1 abstention. The draft resolution has not been adopted, owing to the negative vote of a permanent member of the Council.

I shall now give the floor to those members of the Council who wish to make statements after the voting.

Ms. Power (United States of America): The United States deeply appreciates the support from our colleagues around the table and from the many States that have called for a peaceful end to the crisis in Ukraine. This is, however, a sad and remarkable moment. It is the seventh time that the Security Council has convened to discuss the urgent crisis in Ukraine. The Council is meeting on Ukraine because it is the job of this body to stand up for peace and to defend those in danger.

We have heard a lot, each time that the Security Council has met, about the echoes and relevance of history. We have heard, for example, about the pleas of the brave democrats of Hungary in 1956 and about the dark chill that dashed the dreams of Czechs in 1968. We still have the time and the collective power to ensure that the past does not become prologue. But history has lessons, for those of us who are willing to listen. Unfortunately, not everyone was willing to listen today.

Under the Charter of the United Nations, the Russian Federation has the power to veto a Security Council draft resolution. But it does not have the power to veto the truth. As we know, the word "truth" — or "pravda" — has a prominent place in the story of modern Russia. From the days of Lenin and Trotsky until the fall of the Berlin Wall, Pravda was the name of the house newspaper of the Soviet communist regime. But throughout that period, one could search in vain to find "pravda" in pravda.

Today one again searches in vain to find truth in the Russian position on Crimea, on Ukraine or on the proposed Security Council resolution (S/2014/189) considered and vetoed a few moments ago. The truth is that the draft resolution should not have been controversial. It was grounded in principles that provide the foundation for international stability and law, Article 2 of the Charter of the United Nations, the prohibition of the use of force to acquire territory and respect for the sovereignty, independence, unity and territorial integrity of Member States. Those are principles that Russia agrees with and defends vigorously, all around the world; except, it seems, in circumstances that involve Russia.

The draft resolution broke no new legal or normative ground. It simply called on all parties to do what they had previously pledged through internationally binding agreements to do. It recalled specifically the 1975 Helsinki Final Act and the 1994 Budapest Memorandum, in which Russia and other signatories reaffirmed their commitments themselves to respect Ukraine's territorial integrity and to refrain from aggressive military action toward that country.

The draft resolution called on the Government of Ukraine to do what it had promised it would do: to protect the rights of all Ukrainians, including those belonging to minority groups.

Finally, the draft resolution noted that the planned Crimean referendum, scheduled for tomorrow, has no

legal validity and will have no legal effect on the status of Crimea.

From the beginning of the crisis, the Russian position has been at odds not only with the law, but also with the facts. Russia claimed that the rights of people inside Ukraine were under attack, but that claim had validity only in the parts of Ukraine where Russia and Russian military forces were exercising undue influence. Russia denied that it was intervening militarily, but Russian troops have helped to surround and occupy public buildings, shut down airports, obstruct transit points and prevent the entry into Ukraine of international observers and human rights monitors. Russian leadership has disclaimed any intention of trying to annex Crimea, then reversed itself and concocted a rationale for justifying just such an illegal act.

Russia claims that its intentions are peaceful, but Russian officials have shown little interest in United Nations, European and American efforts at diplomacy, including Secretary of State Kerry's efforts yesterday in London. Russia has refused Ukraine's outstretched hand while, as we speak, Russian armed forces are massing across Ukraine's eastern border. Two days ago, in this very Chamber, Ukraine's Prime Minister appealed to Russia to embrace peace (see S/PV.7134). Instead, Russia has rejected a draft resolution that had peace at its heart and law flowing through its veins.

The United States offered the draft resolution in a spirit of reconciliation, in the desire for peace, in keeping with the rule of law, in recognition of the facts and in fulfilment of the obligation of the Council to promote and preserve stability among nations. At the moment of decision, only one hand was raised to oppose those principles. Russia — isolated, alone and wrong — blocked the draft resolution's adoption, just as it has blocked Ukrainian ships and international observers. Russia put itself outside the international norms that we have painstakingly developed to serve as the bedrock foundation for peaceful relations between States.

The reason only one country voted against the draft resolution today is that the world believes that international borders are more than mere suggestions. The world believes that people within those internationally recognized borders have the right to chart their own future, free from intimidation. The world believes that the lawless pursuit of one's ambitions serves none of us.

Russia has used its veto as an accomplice to unlawful military incursion. That very veto was given nearly 70 years ago to countries that had led an epic fight against aggression. But in so doing, Russia cannot change the fact that moving forward in blatant defiance of the international rules of the road will have consequences, nor can it change Crimea's status. Crimea is part of Ukraine today. It will be part of Ukraine tomorrow. It will be part of Ukraine next week. It will be part of Ukraine unless and until its status is changed in accordance with Ukrainian and international law.

Russia prevented the adoption of a resolution today, but it cannot change the aspirations and destiny of the Ukrainian people, and it cannot deny the truth, displayed today, that there is overwhelming international opposition to its dangerous actions.

Mr. Araud (France) (*spoke in French*): It is with a sense of disbelief that we find ourselves here today — disbelief at the situation that developed before our eyes with the Russian Federation's determination to annex Crimea.

Nothing is lacking from those things that we hoped were relegated to the vaults of history: the military maneuvres at the borders, the henchman who yesterday was no one and today has suddenly been designated President of the Crimea, the occupation denied against all evidence, the torrents of propaganda, and now the charade of a referendum that is not only illegal, rushed and without electoral campaigns but is reduced to a choice between two ways of saying yes. Crimeans will not even be able to express their will.

The violation of international law is so obvious at this point that one almost feels pity at seeing Russian diplomacy — so formalistic, so finicky in its respect for proprieties and its invocation of texts — struggling to find a legal basis for the coup. One day, they brandish an alleged letter from the Head of State who is on the run, and only an unsigned version of that letter is released, disappearing as quickly as it appeared. The next day, they recall the issue of Kosovo. Finally, after what was probably a feverish search through the archives, they even exhume a decolonization case from 1976: the question of Mayotte. They are trying so hard to use all available means in Moscow that they do not want to see that in the latter example, Russia having taken the opposite position from the one it is taking today, that shaky comparison — even if one accepts it — proves that Russia was wrong in 1976 or is wrong now, in 2014. It must choose.

I think, however, that my Russian colleague and I will find common ground in a key sentence from the speech of the Soviet Permanent Representative in 1976 on the question of Mayotte, who said:

> "Any attempt aimed at the partial or total disruption of the national unity and the integrity territory of a country is incompatible with the purposes and principles of the Charter of the United Nations." (*S/PV.1888, p. 8*).

In reality, nothing will come of those pathetic efforts — certainly not the basis for any legal reasoning. The vetoing of a text that is nothing more than a reminder of the basic principles of international law and the Charter of the United Nations is clear proof of that. The headlines can be simple: Russia has vetoed the Charter of the United Nations.

In desperation, therefore, Moscow invokes the pretext of protecting Russians who are supposedly threatened in Crimea. I am sure that neighbouring countries that host Russian minorities appreciate this right to interfere that Russia has suddenly claimed for itself . But again, they are out of luck. There has been no violence, as confirmed by journalists and noted by the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe, and no trace, as confirmed by the Office of the United Nations High Commissioner for Refugees, of the hundreds of thousands of refugees that were predicted. Where have they gone? Do not worry; they never existed.

The supposed right does not exist, and there is no violence taking place. We therefore look to history. Crimea was Russian from 1783 to 1954. What does that mean? Will we take out our history books to review our borders or challenge or defend them? What date will we go back to? After all, Crimea was Russian for 170 years but a vassal of Turkey for three centuries. We know only too well that anything can be justified by history, particularly the unjustifiable.

Out of all of this — their confused flurry of activity, the speeches that are denied as soon as they are given and the arguments that are forgotten as soon as they are made — only force remains. Basically, it is simple: the Russian veto today is telling us that might is right.

Well, no. Force cannot override the law. That would be too serious and too dangerous for every Member State. Our duty is to raise the fragile barrier of law against the brutal nature of international relations, which has led us into two world wars and has cost, as of this very moment, thousands of innocent lives in Syria and elsewhere. To accept the annexation of Crimea would be to give up everything that we are trying to build in this Organization. It would make a mockery of the Charter of the United Nations. It would once again make the sword the supreme arbiter of disputes.

The vast majority of Member States will prove, by their refusal to recognize the annexation of the Crimea, that they know that the territorial integrity of one of them is the guarantor of the territorial integrity of all. There are minorities all over the world. What would become of us if they became the pretext for any kind of adventure to be undertaken by an ambitious and enterprising neighbour? What will be the next Crimea? The annexation goes beyond Ukraine. It affects us all.

The veto should be a defeat for Russia alone. It should not take us with it. We must remain steadfast in our commitment to the principles it embodies, which are at the heart of the Charter of the United Nations, are our best defence against the return of a past in which Russian aggression against Ukraine emerges.

Sir Mark Lyall Grant (United Kingdom): The draft resolution (S/2014/189) was designed to prevent a further escalation of the crisis in Ukraine. It invited Council members to uphold the sovereignty, unity and territorial integrity of a United Nations State Member and to reaffirm core United Nations principles. It was about sending a clear signal that holding a referendum in Crimea would take us further away from a diplomatic solution. The resounding message from today's vote is that Russia stands isolated in the Council and in the international community. Russia alone backs the referendum. Russia alone is prepared to violate international law, disregard the Charter of the United Nations and tear up its bilateral treaties. That message will be heard well beyond the walls of the Chamber.

The position of the international community is clear. If the referendum is held tomorrow, it will have no validity, no credibility and no recognition.

We trust that Russia will take notice of its isolation. On Thursday, we heard a clear message from the Prime Minister of Ukraine that Ukraine was willing to engage in dialogue with Russia to address its stated concerns (see S/PV.7134). The ball is now firmly in Russia's court. If Russia fails to respond to Ukraine's outstretched hand and instead continues with its military adventurism or seeks to take advantage of the illegal referendum, it

will lead to further escalation of tension in the region and further consequences for Russia.

We ask Russia to hear the collective voice of the international community today to rethink its actions and to take the decision to work with Ukraine and with the rest of the world to find a peaceful solution.

Ms. Murmokaitė (Lithuania): My delegation is profoundly troubled by Russia's veto of the draft resolution (S/2014/189) on the illegality of the referendum in Crimea, and we are worried about its consequences for the future of peace and security in the region and internationally.

On 31 May 1997 in a ceremony at the monument of the Liberator Soldier in Kiev, the late President of Russia, Boris Yeltsin, during his historic visit to Ukraine solemnly declared, "Ukraine is an independent country, and we will hold this promise sacred". Russia "does not lay claim on any part of Ukraine or on any of its cities".

And yet, in defiance to the Budapest Memorandum, whereby the Russian Federation reaffirmed its obligation to refrain from the threat or use of force against the territorial integrity or political independence of Ukraine, contrary to the Treaty on Friendship, Cooperation, and Partnership between Ukraine and the Russian Federation of 1997, which affirms that both countries agree to respect each other's territorial integrity and confirm the viability of the borders existing between them, and in violation of the obligations and commitments undertaken by Russia during its accession to key regional and international organizations, Ukraine is about to be carved up. While the United Nations, the Organization for Security and Cooperation in Europe, the Council of Europe and individual world leaders have been trying hard in the past few weeks to get Russia to engage with Ukrainian authorities in order to avoid a veritable crisis over Crimea, and while the Ukrainian authorities repeated their readiness to accept international monitors and mediation efforts, Russian troops and equipment were being amassed in Crimea, accompanied by aggressive anti-Ukrainian propaganda and hurried anti-constitutional acts by the Crimean Parliament to prepare the ground for an illegal referendum and eventual annexation of Crimea by Russia. Tomorrow a farce of a referendum will be held, in flagrant violation of the Ukraine and Crimean Constitutions and international law.

The historical inhabitants of the peninsula, the Crimean Tartars, who see their future in and with Ukraine, said they would boycott this illegal happening. All others who care for the sovereignty and indivisibility of the country, including Crimea's Ukrainians, will be left voiceless by this hastily concocted plebiscite, because the "yes" option to Crimea's future in Ukraine is simply not on the ballot.

Our Russian colleague has spoken about self-determination and the independence of Crimea. Let me quote the self-proclaimed Prime Minister of Crimea, Aksyonov: "No, we will not have independence", he said to the press,"Crimea should join Russia", and it may happen in the next week or so. It is in that context that the Council has voted for a draft resolution condemning the illegal referendum in Crimea, saying yes to the non-use of force in relations between the States; yes to the sovereignty, territorial integrity, inviolability and political independence of Ukraine, and by way of extension, of any sovereign State. My country's yes to the draft resolution is a yes to non-aggression, to a nation's free choice of its destiny and its alliances, to democracy, to the rule of law and to the internationally accepted rules of behaviour based on the norms and principles of international law.

Today's veto is not business as usual. By vetoing the draft resolution, built on the core tenants of the Charter of the United Nations, which clearly states that

> "All members shall refrain in their international relations from the threat or use of force against the territorial integrity of political independence of any State, or in any other manner inconsistent for the Purposes of the United Nations"

and that

> "The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means of their own choice".

The Russian Federation is challenging the very principles on which this Organization, the United Nations, is built and which supported the international system for the past seven decades. We deplore this veto. The world cannot allow a repetition of 1956, 1968 or 2008 in Europe. We call on all Member States

and regional and international organizations not to recognize the results of the referendum in Crimea and not to recognize any alteration of the status of Crimea carried out in clear and obvious violation of the Constitution of Ukraine, a United Nations founding Member.

We call on Russia to disown the illegal referendum in Crimea. International observers, monitors and mediators have been invited by the Ukrainian Government and must be allowed to do their job. We also urge Russia to reaffirm its treaty obligations vis-à-vis Ukraine, including respect for its sovereignty, territorial integrity and political independence, and to withdraw without delay its armed forces to the areas of their permanent stations. Only political dialogue and full respect of the Charter of the United Nations and international law can put an end to the crisis and prevent further bloodshed.

Mr. Gasana (Rwanda): Rwanda wishes to explain its vote on the text of the draft resolution (S/2014/189) before us. It is unfortunate that we have come to this today, as the situation could have been avoided. Voting for the text before us was a hard decision we had to make, and that is so because we are not convinced that the timing of the draft resolution was productive to the objective and purpose of the Security Council. It is hinged on the timing of the planned referendum in Crimea, which may not resolve the entire crisis. More cynical is the objective being stated in these corridors and in some capitals to isolate each other, including important stakeholders, in our search for a peaceful solution to the crisis in Ukraine. There is no need to isolate; however, there is a need for a real and frank dialogue. That is why we are in the Chamber, all of us, as a United Nations.

The situation in Ukraine has rapidly unfolded. We are concerned that the rhetoric of, and pressure from, many actors have blinded us from carefully analysing the situation and understanding the root causes, thereby preventing us from finding a suitable solution and, in the process, de-escalating the crisis. Why, then, did we vote in favour? The draft resolution contains important principles on which we all agree: respect for the independence, sovereignty and territorial integrity of countries and the need for a de-escalation of the crisis. Most important to us is the fact that the draft text calls for a Ukrainian inclusive political dialogue.

We believe that the crisis in Ukraine can be settled primarily by a more vigorous campaign geared towards winning the hearts of all Ukrainians and ensuring the protection of all. To date, we have not seen such steps. There has not been intercommunal dialogue. It is time for Ukrainians to listen to their hearts. It is time to see statesmen on all sides helping their communities to identify that silver thread that has kept them together as a united and prosperous nation for all these years.

In that regard, we appeal to all conflicting blocs in Ukraine to pause a little, close their ears to all aggravating rhetoric and give intercommunal talks a chance. If there is a need for credible mediators, the United Nations should rise to playing that role.

Once again, we invite both sides to consider the mutual interests of the people of Ukraine and to uphold their commitment to bilateral and multilateral agreements. We call on the international community to fulfil its obligation, to ensure no further deterioration and to respect the principles of peace and security.

Finally, this situation is not a win or a loss to any of us. Also, it should not be seen as bringing dishonour to any of us. But let it be a lesson to us all to truly commit and constructively work towards finding a sustainable solution to the process.

Mr. Liu Jieyi (China) (*spoke in Chinese*): The current situation in Ukraine is highly complex and sensitive and has regional and international repercussions. The international community should together engage in pushing through a political solution to the crisis in Ukraine so as to truly maintain peace and stability in the region. What we are seeing Ukraine today is the result of a complex intertwinement of historical and contemporary factors. The situation in Ukraine, which seems to be accidental, has elements of the inevitable, and therefore calls for a comprehensive and balanced solution.

China always respects the sovereignty and territorial integrity of all States. Those are long-standing and fundamental elements of China's foreign policy. At the same time, we note that foreign interference is also a significant factor, giving rise to violent clashes on the streets of Ukraine and resulting in the crisis in the country.

The failure to implement the 21 February agreement has further exacerbated the turmoil in Ukraine, with serious social and economic consequences for the country. We condemn and oppose all extreme and violent acts.

The key to resolving the crisis in Ukraine is to act within the framework of law and order, seeking an early solution to the differences through dialogue and negotiations, with due respect for the legitimate rights and interests of all those in the various communities and regions. All parties should move forward in the overall aim of maintaining regional peace and stability and of protecting the fundamental interests of all the communities in Ukraine in order to keep calm, exercise restraint and prevent a further escalation of the tension, while resolutely seeking a political solution so as to find a specific way out as soon as possible.

China has been calling for constructive efforts and the good offices of the international community to de-escalate the situation in Ukraine. We note the new developments and proposals in that regard. Drafting a resolution at this juncture will only lead to confrontation and further complicate the situation. It is not in line with the common interests of both the people of Ukraine and the international community. On the basis of the above, we could only abstain in the voting on the draft resolution (S/2014/189).

China holds a fair and impartial position on the issue of Ukraine. We will continue to mediate and to promote dialogue so as to play a greater contructive role in seeking a political solution to the crisis in Ukraine. To that end, we would like to make three proposals.

The first proposal is the establishment as soon as possible of an international coordination mechanism, comprising all the parties concerned, in order to explore means for the political settlement of the Ukrainian crisis. Secondly, in the meanwhile, all parties should refrain from taking any action that may further escalate the situation. Thirdly, international financial institutions should start to examine how to help to maintain the economic and financial stability of Ukraine.

Mr. Errázuriz (Chile) (*spoke in Spanish*): The delegation of Chile voted in favour of the draft resolution (S/2014/189) because we believe that it is the appropriate response of the Council to the current crisis in Ukraine. Given that situation, at stake here are fundamental principles of international law, such as abstaining from the threat or use of force and respecting the sovereignty, independence and territorial integrity of Ukraine, in accordance with the Charter of the United Nations.

For its part, the Budapest Memorandum requires that the signatory parties observe the independence, sovereignty and current borders of Ukraine and refrain from the threat or use of force against the territorial integrity or political independence of Ukraine.

The holding of a referendum on the status of Crimea is inconsistent with the Constitution of Ukraine, a unified State of which Crimea is an integral part. It is therefore fundamental that the rule of law be observed in Ukraine nationally and internationally.

It is for the people of Ukraine alone to determine their future in a democratic and inclusive process that guarantees the rule of law, human rights, fundamental freedoms and respect for the rights of minorities. The crisis must be resolved peacefully and through dialogue, in accordance with the norms of international law.

Chile regrets that the United Nations organ that has the primary responsibility for the maintainance of international peace and security has not been able to adopt a draft resolution. Today, owing to the use of the veto, the Council has not fulfilled its obligation.

Mrs. Perceval (Argentina): The delegation of Argentina believes that there is not much sense in making declarations about future events and hypothetical consequences. However, we voted for the draft resolution contained in document S/2014/189 because it reasserts the primacy of the principle of territorial integrity. We did so in the hope that the draft resolution could contribute to promoting constructive dialogue in Ukraine and a search for solutions through peaceful means and which includes all political and social actors who today disagree.

We trust that all the parties in Ukraine will refrain from unilateral action that could hamper dialogue or obviate opportunities for a peaceful and negotiated solution. We believe that it is for the Ukrainians to manage their internal affairs and to interpret those actions.

It is not for the Security Council to define this situation. Our responsibility is to maintain international peace and security. We therefore hope that all countries will respect the principle of non-interference in internal affairs and uphold their commitment to act strictly in compliance with international law and the Charter of the United Nations, with the goal of achieving a peaceful solution in the country.

Mr. Quinlan (Australia): Australia is seriously disturbed that the draft resolution contained in document S/2014/189 before us was vetoed. Its purpose

was to reaffirm the fundamental principles and norms governing relations between States in the post-1945 world — obligations that form the core of the Charter of the United Nations — respect for the sovereignty and territorial integrity of all States, the obligation to refrain from the threat or use of force against the territorial integrity or political independence of any State, the illegality of the acquisition of territory through the threat or use of force and the obligation to settle disputes by peaceful means.

As the body mandated under the United Nations Charter with the primary responsibility for the maintenance of international peace and security, the Security Council has a primordial responsibility to uphold those obligations. As Council members, we do so on behalf of all Member States. The draft resolution directly and carefully reflects those fundamental norms. There is nothing in it that any State Member of the United Nations could reasonably oppose. Russia's decision to veto the resolution is therefore profoundly unsettling.

The referendum to be held tomorrow in Crimea is dangerous and destabilizing. It is unauthorized and invalid. The international community will not recognize the result nor any action taking on the basis of it.

With or without a resolution, the message from Council members and the wider international community has been overwhelming. The de-escalation of the current crisis is imperative. Russia must pull back its forces to their bases and decrease their numbers to agreed levels. It must allow international observers access to Crimea. It must demonstrate its respect for the sovereignty and territorial integrity of Ukraine, including by desisting from any recognition of or action on the basis of the results of the Crimean referendum. It must engage in direct dialogue with Ukraine, as Ukraine has repeatedly requested, either bilaterally or through a diplomatic mechanism such as a contact group.

Russia can be under no misapprehension about the action the international community is demanding it take. Should it fail to respond, there will be consequences. The international community will demand it.

Mr. Oh Joon (Republic of Korea): The Republic of Korea voted in favour of the draft resolution contained in document S/2014/189, as we firmly believe that the unity and territorial integrity of Ukraine should be fully respected and that the future of Ukraine should be decided by the Ukrainians themselves without any intervention or influence by outside forces. We think that the draft resolution clearly embodies those principles.

It is regrettable that the draft resolution was not adopted by the Security Council today. Still, we very much hope that today's failure will not close the window on a peaceful and diplomatic solution to the crisis.

Mrs. Ogwu (Nigeria): Nigeria voted in favour of the draft resolution contained in document S/2014/189 because it reflects the principles embodied in the Charter of the United Nations, which obliges all States to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any Member State. The United Nations Charter also obliges States to settle their disputes by peaceful means. All throughout the crisis in Ukraine, Nigeria has consistently and unequivocally called on all concerned to abide by those principles in the interests of international peace and security.

The draft resolution, which is not a country-specific draft resolution but one that underscores universally agreed principles and the sanctity of international law, also mentions the Budapest Memorandum of 1994, which provides a framework within which the crisis could be peacefully resolved. We have consistently called for dialogue, mediation, restraint and an end to hostile rhetoric. Therefore, Nigeria is fundamentally opposed to the threat or use of force in settling international disputes. The lessons of history are not far-fetched, and we remain vigilant that the mistakes of history not be repeated by those alive today.

Nigeria has consistently advocated for mediation and the pacific settlement of disputes, including territorial disputes. Our willing submission to the rule of the International Court of Justice in our dispute with the Republic of Cameroon should serve as a beacon and an inspiration to law-abiding nations.

Nigeria is vehemently opposed to unilateral secession or forceful excision of territory designed to alter the configuration of States in their internationally recognized boundaries. Standing on that fundamental principle, Nigeria is opposed to any unilateral declaration by a component part of a State that will alter the configuration of the State to which it appropriately belongs.

It is therefore needless to restate that the impending referendum in Crimea is not in consonance with the

Constitution of Ukraine. The consequences of any defiance are better imagined than described.

Mr. Cherif (Chad) (*spoke in French*): Since the beginning of the Ukrainian crisis, Chad has consistently expressed its commitment to the territorial integrity and unity of Ukraine, in accordance with the Charter of the United Nations. The intangibility of borders and territorial integrity of States is a sacred principle set forth in the Constitutive Act of the African Union. Chad's vote in favour of the draft resolution contained in document S/2014/189 reflects that commitment.

Chad takes note with great concern the persistence of the escalation of the crisis in Ukraine, which is taking place despite the repeated appeals of the international community, and particularly the Security Council, for restraint and calm. We believe that it is still possible for the parties to open the way towards national reconciliation and maintaining Ukraine's unity by engaging in inclusive dialogue among the various components with respect for diversity, human rights and in particular the rights of minorities.

Chad reiterates its call for respect for territorial integrity, the non-use of force and the peaceful settlement of disputes, in accordance with the Charter of the United Nations.

Also, we would like to once again call for calm and restraint. We believe that the solution to the crisis can only be a political and negotiated one.

Prince Zeid Ra'ad Zeid Al-Hussein (Jordan) (*spoke in Arabic*): Jordan has voted in favour of the draft resolution contained in document S/2014/189 out of its respect for Ukraine's sovereignty, territorial integrity and political independence and non-interference in its internal affairs. Moreover, it calls for adherence to the purposes and principles of the Charter of the United Nations, especially Article 1, and to the use of peaceful means to settle disputes.

Jordan confirms the importance of upholding the territorial integrity of Ukraine and subjecting all its territories, including Crimea, to Ukrainian sovereignty, in accordance with the principles of international law and relevant international resolutions, including the 1994 Budapest Memorandum and the 1997 Treaty on Friendship, Cooperation and Partnership.

The President (*spoke in French*): I shall now make a statement in my capacity as the representative of Luxembourg.

Luxembourg deeply regrets that the draft resolution (S/2104/189). proposed by the United States of America, on the situation in Ukraine was not adopted because of the vote against it by Russia, a permanent member of the Council.

Luxembourg voted in favour of the draft resolution and is also a sponsor of the text, as did many United Nations States Members. Why? Because the draft resolution was based on principles and dialogue.

First, with regard to the principles, the draft resolution was intended to recall the purposes and principles of the United Nations, as set out in particular in Article 2 of the Charter. The draft resolution was intended to reaffirm the Security Council's support for the sovereignty, independence, unity and the territorial integrity of Ukraine within its internationally recognized borders. The Security Council should be unanimous in upholding those principles. The Charter of the United Nations states that in discharging its duties the Security Council "shall act in accordance with the purposes and principles of the United Nations". Today, the Russian veto prevented the Security Council from complying with that provision.

With regard to dialogue, in accordance with Chapter VI of the Charter of the United Nations, the draft resolution under consideration by the Council this morning was intended to urge all parties to seek a peaceful settlement immediately through direct political dialogue, to exercise restraint, to refrain from any unilateral action and any inflammatory rhetoric that might increase tension and to engage fully in international mediation efforts. However, the referendum organized for tomorrow in Crimea is intended to change the status of the Ukrainian territory against the will of Ukraine. If the referendum were to take place, it would constitute a unilateral act that could very seriously destabilize Ukraine and the entire the region.

Pursuant to the Charter of the United Nations, Member States have conferred upon the Security Council the primary responsibility for maintaining international peace and security. Today, the Russian veto prevented the Security Council from assuming that responsibility in the interest of peace and security in Ukraine and Europe.

The referendum organized for tomorrow in Crimea runs contrary to Ukraine's Constitution, which stipulates that the territory of Ukraine is indivisible

and inviolable. The referendum is also contrary to the Constitution of the Autonomous Republic of Crimea. The international community can in no way recognize its outcome.

The referendum of 16 March is part of a vicious cycle. The decision taken on 1 March by the Council of the Russian Federation to authorize the use of the Russian armed forces on Ukrainian territory, and the subsequent actions undertaken, constitute a flagrant violation of international law. Those actions violate the commitments Russia entered into with regard to Ukraine within the framework of the Budapest Memorandum of 1994 and the Treaty of Friendship, Cooperation and Partnership Agreement between Russia and Ukraine, signed in 1997. Had it been adopted, the draft resolution would have helped to put an end to that vicious cycle and the nationalist escalation that accompanies it.

Today's vote is a failure — a failure for the Security Council and the United Nations, but also, and above all, a failure for Russia.

Would it be naive to hope that, despite that failure, we can still find a peaceful solution to the crisis that Russia is imposing on Ukraine and the international community? For its part, Luxembourg will not abandon that hope. Even if diplomatic efforts have not yet borne fruit, they must continue to achieve a solution that respects the political independence, sovereignty, unity and territorial integrity of Ukraine, in the interest of peace, stability and prosperity in Europe.

I resume my functions as President of the Council.

I give the floor to the representative of Ukraine.

Mr. Sergeyev (Ukraine): I would like to express my sincere gratitude to the members of the Security Council for their overwhelming support of the draft resolution contained in document S/2104/189, as well as for their support in trying to resolve the crisis by diplomatic and political means.

I would like to thank all the sponsors of the draft resolution for their support. In this difficult time for my country, we really need their support, and I want to assure them that it is highly appreciated by the people of Ukraine.

I would like to particularly thank the Member States who are the guarantors of the Budapest Memorandum who supported Ukraine — the United States, the United Kingdom, France and China — and who several times spoke in favour of territorial integrity. It is awful that the other one, the fifth guarantor, the Russian Federation, violated its own obligations.

All the appeals by the united membership to the wisdom of the Russian leadership were not successful. I received a call 40 minutes ago as we were discussing the crisis in Crimea, Ukraine. Members noticed that somebody called me. Russian troops entered the mainland from the south, from Crimea. Now we are facing a new development and we are to face an even more dangerous stance of the Russian Federation.

I appeal to all Council members to find the means and measures in the Security Council and the United Nations, as well as at the bilateral level, to do the utmost possible to stop the aggressor, the Russian delegation, present in the Chamber.

For us it is no surprise that Russia has vetoed today's draft resolution. For that permanent member of the Council, it has become the custom to veto any measure aimed at maintaining international peace and security.

We remember the vetoes of draft resolutions on peacekeeping missions in Syria, which brought about thousands and thousands of deaths. I am confident that when Council members gather together next week with Ambassador Tanin to speak about the reform of the Security Council, the issue of the right of the veto will be discussed. Two cases, Syria and Crimea, will certainly be considered as examples of the behaviour of a permanent member of the Council when peace is needed.

(*spoke in Russian*)

The representative of the Russian Federation has stated many times in this Chamber that Russia's right of the veto was gained through the blood of the Second World War. I would like to recall that it was the collective bloodshed of Ukrainians, Belarusians and Georgians. To manipulate the issue of the bloodshed is absolutely unacceptable. Moreover, it is a manipulation of the right of the veto before the new blood on one's hands. Previously it was Georgian blood — now it is Ukrainian. I believe that such chaos should end now.

Today I take an optimistic view of the situation. Why so? Because I am convinced that the statement made by the Russian representative expressed not the voice of the Russian Federation, but rather the voice of the Soviet Union. The genuine voice of Russia today can be heard on the streets and squares of Moscow,

St. Petersburg, Samara and Yekaterinburg, where thousands and thousands of people have gone to express their support and desire to protect Ukraine and its territorial integrity. That represents the democratic future of Russia and the basis on which we will build our fraternal ties.

Today the question of how to stop the aggressor concerns all of us. It involves the loss of the entire system of values established over the years through the untiring efforts of Member States towards a collective security system and non-proliferation.

(*spoke in English*)

I am confident that today the entire United Nations family demonstrated its unity. Tragic and dramatic events in Ukraine have united all of us. We must demonstrate that we are capable of protecting the United Nations system and the global security system through a new approach. I am absolutely confident that we will be able to do that.

The President (*spoke in French*): The representative of the Russian Federation has asked to take the floor again to make an additional statement.

Mr. Churkin (Russian Federation) (*spoke in Russian*): Some colleagues today have achieved high levels of rhetoric. I must mention that the Ukrainian colleague nevertheless went far beyond anything permissible. If one is to speak of blood, indeed the blood is not on our hands but on the hands of his friends the nationalist radicals — the blood of those Ukrainians who were shot by snipers on days in February of this year — whose ideological fathers he defended not very long ago in the halls of the United Nations, stating that Nazi Ukranian henchmen did not kill anyone and that those were falsehoods made up by the Soviet Union.

With regard to other statements, I must note that something has caught my attention. Colleagues that have taken the floor discussed poorly developed arguments, on the whole — it was not the argumentation put forward by my delegation, but distorted images or elements of our position. I will not comment on everything heard today — all of the highly unacceptable comments. I will, however, make a few comments.

The French colleague did not notice the smallest hint of violence in Ukraine. It is possible that he was unaware of what occurred on Saturday in Kharkiv, where two citizens were killed by fighters from other regions of Ukraine. In fact, the violence had to be noted as it took place during this month in Kyiv and in other regions of the country. There is a continuing threat of violence and a continuing threat of it spreading to other regions of Ukraine. Yet the violence has not occurred in Crimea, due to measures taken there.

The Permanent Representative of the United States blamed Russia for illegally pursuing its ambitions. That does not apply to us; it is a phrase taken from the foreign policy arsenal of the United States. Ms. Power spoke of truth. The world would be very interested to know if Washington, D.C., would in fact tell the truth about its role in the development of the crisis in Ukraine. Finally, Ms. Power spoke of dreams and aspirations. But why has she negated the right of the people of Crimea to express their will tomorrow during the referendum?

To conclude, one of our colleagues said that Kyiv had extended a hand to Moscow and that we had refused to reciprocate. But the problem is not with Moscow; it has to do with the fact that Kyiv should have been the one to extend a hand to its people and regions, instead of intimidating them with repression and banning the use of the Russian language. Why, for instance, was the constitutional assembly not convened, and in reality, in the course of the constitutional process, it was not proved that the ideology and practice of radical nationalism did not prevail in Kyiv?

It is unfortunate that much time has been lost. Nevertheless, we would appeal to all to put an end to the confrontation and to begin constructive cooperation with a view to a long-term settlement of the situation in Ukraine, in the interests of all of the people, including those in the eastern and south-eastern regions.

The President (*spoke in French*): There are no more names inscribed on the list of speakers. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.15 p.m.